

SB 643-5
(LC 1134)
4/14/17 (HE/ps)

Requested by Senator BAERTSCHIGER JR

**PROPOSED AMENDMENTS TO
SENATE BILL 643**

1 On page 1 of the printed bill, line 3, delete “830.215 and 830.380” and in-
2 sert “704.070”.

3 Delete lines 5 through 30 and delete page 2 and insert:

4 **“SECTION 1.** ORS 704.070 is amended to read:

5 “704.070. (1) A person who acts or offers to act as an outfitter and guide
6 using boats to carry passengers on the waters of this state shall:

7 “(a) Equip each nonmotorized boat that is under the direct operation of
8 an outfitter and guide or an employee of an outfitter and guide to carry
9 passengers on waters rated as class III or higher on a commonly accepted
10 scale of river difficulty with a rescue throw bag, complete with a length of
11 artificial fiber rope and a buoyant bag;

12 “(b) On any section of waters rated as class III or higher on a commonly
13 accepted scale of river difficulty, require that all persons physically provid-
14 ing outfitting and guiding services and all passengers wear a properly se-
15 cured United States Coast Guard approved personal flotation device of a type
16 prescribed by rules adopted by the State Marine Board;

17 “(c) If the outfitter and guide operates nonmotorized boats carrying pas-
18 sengers on any section of waters rated as class III or higher on a commonly
19 accepted scale of river difficulty, require that all persons physically provid-
20 ing outfitting and guiding services:

21 “(A) Prior to providing the services, have completed at least one trip on

1 that section of waters in a nonmotorized boat; and

2 “(B) Have been trained in equipment preparation and boat rigging,
3 understanding and recognizing river characteristics and hazards, methods of
4 scouting rapids, methods of physically guiding boats through rapids, proper
5 client communication, how to provide paddling and safety instruction and
6 methods of river rescue techniques, including emergency procedures and
7 equipment recovery; [and]

8 “(d) If the outfitter and guide is a charter guide, ensure that the vessel
9 used to carry passengers complies with the equipment requirements for
10 charter vessels under ORS 830.450[.]; and

11 “(e) **On any section of waters rated as class III or higher on a**
12 **commonly accepted scale of river difficulty, offer to all passengers a**
13 **helmet that meets the standards established by the board by rule.**

14 “(2) Subsection (1)(b) of this section does not apply to motorized boats
15 that are inspected by the United States Coast Guard.

16 “**SECTION 2. The amendments to ORS 704.070 by section 1 of this**
17 **2017 Act apply to conduct occurring on or after the effective date of**
18 **this 2017 Act.”.**

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